IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TIMOTHY LEE CREED,)	
Plaintiff,)	
v.)	1:06CV00397
DAN WILSON, et al.,)	
Defendants.)	

O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 11, 2006, was served on the parties in this action. Plaintiff objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that Defendants James L. Herring, Alan W. Greene and Warren McSweeney be dismissed as defendants pursuant to 28 U.S.C. § 1915A

because the claims against them fail to state a claim upon which relief may be granted, and seek monetary relief against a defendant who is immune from such relief.

This the 12^{+h} day of March, 2008.

United States District Judge